

SPECIAL CIVIL APPLICATION No 2207 of 1999

Hon'ble MR.JUSTICE M.C.PATEL Sd/-

[illegible]

HIMADRI TEXTILE MILLS

BADRUBHAI MANGUBHAI

MR SUDHIR NANAVATI FOR NANAVATI & NANAVATI
for Petitioner
MR KV GADHIA for Respondent No. 1

Date of decision: 23/12/1999

ORAL JUDGEMENT

By consent the petition is taken up for immediate hearing. After hearing the learned Counsel for the petitioner I see no reason to interfere with the finding of facts recorded by the Labour Court and Industrial Court. However, it is stated at the bar that manufacturing activity of the mill has been stopped with effect from 30.6.1996. Hence there is no question of reinstatement. In the circumstances, the direction for reinstatement is deleted and the workman shall be entitled to backwages from 3.6.1987 to 30.6.1996 as if he continued as daily rated worker. The direction for payment of costs is ordered to be deleted. The award passed by the Labour Court and Industrial Court shall stand modified accordingly. Rule made absolute to the aforesaid extent. No order as to costs.

m.m.bhatt